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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,579	07/22/2004	Kevin Ting	IACP0047USA	4578
27765	7590	05/07/2008		
NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			EXAMINER LIN, JASON K	
			ART UNIT	PAPER NUMBER
			2623	
			NOTIFICATION DATE	DELIVERY MODE
			05/07/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/710,579	<b>Applicant(s)</b> TING, KEVIN	
	<b>Examiner</b> JASON K. LIN	<b>Art Unit</b> 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/09/2007</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This office action is responsive to application No. 10/710,579 filed on 07/22/2004.

**Claims 1-13** are pending and have been examined.

#### *Information Disclosure Statement*

2. The information disclosure statement (IDS) filed on 02/22/2005 is considered.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-7 and 11-13** are rejected under 35 U.S.C. 102(b) as being anticipated by Estevez (US 2003/0091325).

Consider **claim 1**, Estevez teaches a portable device for watching TV programs (Fig.2) comprising:

a receiving module for receiving an input signal (204, 208, 212 - Fig.2; Paragraph 0013 teaches that the audiovisual signals can be received by the portable device's interface);

a first decoding module connected to the receiving module for decoding the input signal and outputting a first decoded signal (204, 208, 212 - Fig.2; Paragraph 0013-0014 teaches NTSC or PAL signals are input to NTSC/PAL decoder interface 208, where after reception of the signals through the interface, the signals are acted upon by the CPU 220. *Therefore, the received NTSC or*

*PAL signal is passed through the NSTC/PAL decoder which effectively decodes the signal and passes it on to the CPU for further processing);*

an encoding module comprising an input and an output, the input receiving a signal, the encoding module being used to encode the signal, the output outputting a digital signal (Paragraph 0014);

a storing module connected to the output of the encoding module, the storing module being used for storing the digital signal output from the encoding module (storage device 232-Fig.2; Paragraph 0014); and

a displaying module connected to the first decoding module for transforming the first decoded signal or a second decoded signal output from the first decoding module into an audio/video signal and displaying the audio/video signal (video display 253-Fig.3; Paragraph 0015).

Consider **claim 2**, Estevez teaches an AD converter connected to the receiving module for transforming an analog signal into a digital signal (Paragraph 0013 teaches the reception of NTSC or PAL format video signals 206 {analog signal}. Paragraph 0014 teaches the CPU 220 is further operable to compress the input into formats such as MPEG1, MPEG2, or MPEG4 {digital signal}).

Consider **claim 3**, Estevez teaches wherein the signal received by the input of the encoding module is the decoded signal output by the first decoding

module or the digital signal output from an AD converter (Paragraph 0014) teaches the CPU 220 receiving audiovisual information through interfaces NTSC/PAL decoder interface 208).

Consider **claim 4**, Estevez teaches a second decoding module connected to the storing module and the displaying module, for decoding the digital signal stored in the storing module and outputting the second decoded signal (Paragraph 0012 teaches retrieving compressed audiovisual data from storage device 232 and is decompressed by CPU 220. Paragraph 0015 teaches retrieving and passing the video signal to the video controller 240 and then output to a display 253).

Consider **claim 5**, Estevez teaches wherein the displaying module comprises a display (Paragraph 0015 teaches a display 253-Fig.2).

Consider **claim 6**, Estevez teaches wherein the displaying module comprises a speaker (Paragraph 0015 teaches an audio signal output to an audio speaker 255-Fig.2).

Consider **claim 7**, Estevez teaches wherein the encoding module encodes a signal according to the MPEG4 codes (Paragraph 0014 teaches the CPU 220 is operable to compress the input signal into a native format such as MPEG4).

Consider **claim 11**, Estevez teaches an output port, which is connected to the encoding module, for outputting the digital signal of the encoding module (Paragraph 0016 teaches the CPU 220 can encode the data and can pass the compressed data through the USB interface 234 to a personal computer 104 or to a networking hub).

Consider **claim 12**, Estevez teaches wherein the output port is a USB port (234-Fig.2; Paragraph 0016 teaches the CPU 220 can encode the data and can pass the compressed data through the USB interface 234 to a personal computer 104 or to a networking hub).

Consider **claim 13**, Estevez teaches a transmitter, connected to the encoding module, for transmitting the digital signal of the encoding module (234-Fig.2; Paragraph 0016 teaches the CPU 220 can encode the data and can pass the compressed data through the USB interface 234 to a personal computer 104 or to a networking hub).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Estevez (US 2003/0091325) in view of Parry et al. (US 2004/0068743).

Consider **claim 8**, Estevez teaches the portable device of claim 1 (Fig.2; Paragraph 0013-0015), but does not explicitly teach that the portable device is a PDA.

In an analogous art Parry teaches, a portable device is a PDA (Paragraph 0020).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Estevez's system to include a portable device is a PDA, as taught by Parry, for the advantage of providing the user with exceptional capabilities at their disposal, providing users with a multi-purpose device that provides additional capabilities without the burden of having to carry multiple devices that specifically perform a single function, granting users with a more versatile device.

7. **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over Estevez (US 2003/0091325) in view of Seong (US 2004/0056985).

Consider **claim 9**, Estevez teaches the portable device of claim 1 (Fig.2; Paragraph 0013-0015), but does not explicitly teach that the portable device is a mobile phone.

In an analogous art Seong teaches, a portable device is a mobile phone (Fig.1; Paragraph 0023, 0028).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Estevez's system to include a portable device is a mobile phone, as taught by Seong, for the advantage of providing with a multi-purpose device that provides users additional capabilities without the burden of having to carry multiple devices that specifically perform a single function, granting users with a more versatile device.

Consider **claim 10**, Estevez teaches the receiving module (204, 208, 212 - Fig.2; Paragraph 0013 teaches that the audiovisual signals can be received by the portable device's interface), but does not teach comprises a TV tuner for tuning an input signal to a frequency band.

In an analogous art Seong teaches, a TV tuner for tuning an input signal to a frequency band (Paragraph 0027, 0031).

Therefore, it would have been obvious to a person of ordinary skill in the art to modify Estevez's system to include a TV tuner for tuning an input signal to



a frequency band, as taught by Seong, for the advantage of providing the user with available broadcast television programming selections over the air, providing the user with more portable program viewing in real time.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON K. LIN whose telephone number is (571)270-1446. The examiner can normally be reached on Mon-Fri, 9:00AM-6:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian T. Pendleton can be reached on (571)272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason Lin

05/04/2008

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/Brian T. Pendleton/  
Supervisory Patent Examiner, Art Unit 2623